

Ari Teman

Motion to Modify Bond Continues to allow Mr. Teman to assist his mother & victims of terror in Israel, and to not fly through rocket attacks

Your Honor,

11/5/2024

Per Mr. Quainton, copied, who does not have time to file this letter due to a personal medical issue ("I'm going for surgery tomorrow and I have three memos due before Friday. Sorry, just don't have the bandwidth to put this together") United States Probation, Officer Jimmy Wong, has confirmed to Mr. Quainton they are okay with transforming Mr. Teman to Non-Reporting Probation so that he may continue to assist his elderly parents and victims of terrorism in Israel during the ongoing war.

As well, Probation has agreed in the alternative to extend Mr. Teman's stay in Israel until January 15th, due to the many cancellations of flights and tickets, including every flight by every United States airline and most international airlines (see <https://www.israelhayom.com/2024/11/05/the-complete-guide-to-all-airline-flight-cancellations-to-israel-2/>) so that Mr. Teman can continue to assist his family and volunteer and get medical care himself, without the need for expensive and dangerous back-and-forth flights.

Mr. Teman was scheduled to appear at an arbitration on November 12, 2024 in NYC, but due to the war and rocket attacks Mr. Teman will participate via Zoom. Mr. Teman hopes the Court will afford the same consideration.

Mr. Teman could not have anticipated Iran launching over 180 missiles at Israel (<https://apnews.com/article/israel-lebanon-hezbollah-gaza-news-10-01-2024-eb175dff6e46906caea8b9e43dfbd3da>), nor resulting increased cancellation of flights, but it is also obvious that being in a bomb shelter during such an attack is safer than being in an airplane Iran is targeting. Requiring Mr. Teman to fly through rocket attacks when every United States airline says it is unsafe and refuses to do so would arguably qualify as cruel and unusual punishment, and Mr. Teman hopes the Court will agree such a request is absurd when there is no difference if Mr. Teman waits 2 months until January 15, to allow time for the rocket attacks against the airport stop and safer, more-affordable direct international flights to resume.

While the Government agrees to extend Mr. Teman's trip, they want a shorter time period of "approximately two weeks" per their email to Mr. Quainton¹, but one which is not at all practical due to the war and medical needs of Mr. Teman and his mother, nor the volunteering I am doing here, and so we respectfully request the court rule in favor of Probation and Mr. Teman's request for the following reasons:

Mr. Teman's mother has additional medical procedures in December and January, after two recent and intensive surgeries with which the Court is familiar, and Mr. Teman is needed to help with transport and care as his father is also elderly and is recovering from 3 weeks of COVID-19 and related quarantine.

As well, Mr. Teman is receiving specialized treatment for his degenerative disc disease and PTSD in Israel and it is important that he be able to continue his treatments. Mr. Teman is still experiencing agonizing back pain

¹ "We have no objection to Mr. Teman extending his stay for approximately two weeks, so that he can assist in caring for his parents and continue his charitable work, among other things – including negotiating what I understand are complicated travel logistics as the war continues. "

following incarceration, despite two steroid injections, and is undergoing treatment to resolve this but sitting for long periods is excruciating. The 11-13 hours of flight and hours of sitting at the airport is best delayed until after treatment. The delta of 8 weeks between what the Defense is asking and the Government is agreeing-to is a reasonable time to allow for Mr. Teman to recover further.

As well, Mr. Teman is volunteering in the following ways:

1. Organizing volunteers and materials for ADI Negev, a village for the disabled in the south of Israel that is also treating soldiers and civilians recovering from October 7th and the war efforts. This includes a volunteering event at the location together with local celebrities and musicians to recruit more young adults to volunteer. This was thought-up while on location, and not anticipated before the prior request to modify bond conditions.

2. Working to establish Sunflower Centers, a therapy and research center for survivors of trauma. (More at SunflowerCenters.com) A rendering and layout is at the right. As Your Honor can see, Mr. Teman has given thousands of hours towards this and must be in Israel to meet with key figures and secure the appropriate resources and permissions.



Mr. Teman designed this center, recruited a team, architects, engineering, fundraising, and is meeting with experts in Israel. He is not a mere volunteer here but the actual founder, and his in-person efforts are critical to getting therapy to the many victims of terror.



Your Honor is familiar with Mr. Teman's past success building JCorps, for which he was honored by President Obama at the White House, and therefore can understand why Mr. Teman's unique skills and experience are critical to establishing this needed center. This effort cannot as effectively be managed remotely from the United States during wartime as actions such as inspecting prospective locations are required, and I need more time here to do that. While normally flying back-and-forth would be affordable and practical, given the war it is unsafe and more than twice as expensive.



3. Working with students to collect remnants of Iranian weapons and transform them into sculptures of acts of kindness. (To be clear, Mr. Teman is not personally handling any weapons.)

4. Performing for free for civilians and soldiers impacted by the war. Mr. Teman has performed weekly (except Jewish holidays) for no pay around Israel and intends to continue.

Obviously, Mr. Teman cannot do these acts of volunteering in Miami or New York and they are especially needed now.

The Government, however, asks that Mr. Teman will return in "about two weeks". That is deeply unreasonable to ask Mr. Teman to fly when airlines have canceled most flights during heightened war and missile warnings and sirens, and when the only remaining airline is thousands more dollars and also has many cancellations. As well, this will prevent Mr. Teman from being able to assist his mother in-person. A 10 week extension until January 15 is at the least very reasonable and fair and will not add thousands of dollars of expenses and unreasonable suffering and risk to Mr. Teman's life.

Furthermore, the Government does not object to Mr. Teman returning and is only saying that Mr. Teman would need to return to the USA to make the request -- that is, they want Mr. Teman to make multiple flights through an airport *every US airline refuses to fly into or out of* rather than just conceded to 7 or 8 more weeks than they're willing to offer.

Probation is designed as a rehabilitative measure rather than a punitive one, aimed at reintegrating alleged offenders into society under structured supervision, not as a form of punishment. However, Mr. Gutwillig makes clear their sole reason is punitive, (" That would also result in Mr. Teman not serving his three-year term of supervised release, which was **imposed** as part of his sentence **and the reason for this objection.**")

Requiring Mr. Teman to fly through rockets, leave his mother without assistance, cut his treatment for back pain short, and end his volunteering -- and spend thousands of dollars more to return to help his mother if the court would allow it -- is punitive and not rehabilitative. Given the allegations are a billing dispute and not a physical act of violence or transaction of drugs or other materials, Mr. Teman's physical presence does nothing to impact the probation period or goals.

Mr. Teman had no prior criminal history and has not violated post-trial *which was a period of multiple years already* and the Court has agreed that Mr. Teman has remained in compliance. There is no reason that adding such expense and suffering to Mr. Teman and his family would aid the goal of preventing any alleged financial violation.

Furthermore, Teman is confident he will prevail under 2255 or Appeal, as the Court can see two fulsome filings made, and there is no reason for him to violate by not returning to the United States on January 15.

Given **Probation has agreed to move Mr. Teman to Non-Reporting.** this is what the Court should order so that Mr. Teman can focus on the critical work of launching the therapy center which will tell thousands of people, God-willing. In the alternative, allowing Mr. Teman to remain until January 15th is reasonable given the risk and expense of flights in the next few weeks.

We therefore respectfully request that the Court approve Probation and Mr. Teman's suggestion to transfer Mr. Teman to Non-Reporting Probation or in the alternative allow Mr. Teman to remain in Israel to volunteer and assist his mother and to get his own care until January 15.

Respectfully submitted,

s/Ari Teman/

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